IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

WP(C).No. 10287 of 2007(Y)

PETITIONER:

SOWMINI MATHEW,W/O.LATE COL.E.T.MATHEW,
PROPRIETERIX,MATHEWS GAS SERVICES,THIRUVALLA,
RESIDING AT 'THEVERVELI PEARL HOME',MANJADY P.O,
THIRUVALLA.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:

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1. SUB INSPECTOR OF POLICE,THIRUVALLA
POLICE STATION,THIRUVALLA.

2. SUPERINTENDENT OF POLICE,PATHANAMTHITTA
DISTRICT,PATHANAMTHITTA.

3. DIRECTOR GENERAL OF POLICE,POLICE
HEADQUARTERS,THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.M.S.BREEZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN WPC NO.10287 OF 2007

PETITIONER'S EXHIBITS:

EXT.P1:- TRUE COPY OF THE INTERIM ORDER DATED 19/2/2007 IN WPC NO.5470/07 ON THE FILE OF THIS HONOURABLE COURT.

EXT.P2:- TRUE COPY OF THE JUDGMENT DT.28/2/2007 IN WPC NO.5470/2007 OF THIS HONOURABLE COURT.

EXT.P3:- TRUECOPY OF THE PHOTOGRAPHS OF LORRIES BEARING REG.NO.KL-12A 1982.

EXT.P4:- TRUE COPY OF THE FIR IN CRIME NO.168 OF 2007 OF THIRUVALLA POLICE STATION

[TRUE COPY]

R.BASANT, J.

W.P.C.10287 of 2007

Dated this the 2nd day of July 2007

J U D G M E N T

The petitioner's grievance is that no proper investigation is being conducted into crime No.168/2007 of Thiruvalla police station registered on 12/3/2007. It is the case of the petitioners that consequent to a dispute between her employees, such employees and other men are vexing and harassing her. The petitioner is a war widow who run a gas agency at Thiruvalla.

2. The investigating officer was directed to file a statement. The statement has been filed. I have perused the statement. It is a story of helplessness that is projected in the report filed by the present investigating officer - the Additional Sub Inspector of Police, Thiruvalla. He accepts that the incident had taken place; but pleads that he was not able to identify the miscreants.

3. I am satisfied in these circumstances that the investigation must be entrusted with a more senior and superior official of the police. I am satisfied that appropriate directions can be issued in the matter, in favour of the petitioner.

4. In the result, this petition is allowed. The second respondent is directed to entrust the investigation in crime No.168/07 of Thiruvalla police station at the hands of a senior competent official of the police in the district, not below the rank of a Deputy Superintendent of Police. Such order shall be issued by the second respondent - Superintendent of Police, Pathanamthitta, within a period of thirty days, with copy to the petitioner.

Hand over copy of this order to the learned counsel for the petitioner and the learned Public Prosecutor.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007